

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/7/24

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRUSTEES OF THE NEW YORK CITY	:	
DISTRICT COUNCIL OF CARPENTERS	:	
PENSION FUND, WELFARE FUND,	:	
ANNUITY FUND, AND	:	23 Civ. 10692 (VM)
APPRENTICESHIP, JOURNEYMAN	:	
RETRAINING, EDUCATIONAL AND	:	AMENDED ORDER AND
INDUSTRY FUND, et al.,	:	<u>JUDGMENT</u>
	:	
Petitioners,	:	
	:	
-against-	:	
	:	
BP INTERIORS CORP.,	:	
	:	
Respondent.	:	

Victor Marrero, United States District Judge.

This Amended Order and Judgment supersedes the Order and Judgment dated August 5, 2024 and entered at Docket No. 16 in this matter.

On October 11, 2023, the arbitrator in an arbitration proceeding between petitioners Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund; Trustees of the New York City Carpenters Relief and Charity Fund; and the Carpenter Contractor Alliance of Metropolitan New York (collectively "Petitioners") and respondent BP Interiors Corp. issued an Opinion and Default Award (the "Arbitration Award," a copy of which can be found at Dkt. No. 1-10).

On December 7, 2023, Petitioners filed a petition (see "Petition," Dkt. No. 1) for confirmation of the Arbitration Award under 29 U.S.C. § 185, along with a supporting memorandum of law (see Dkt. No. 5). Petitioners served BP Interiors Corp. with the Petition on or about December 11, 2023. (See Dkt. Nos. 7-8.) Any answer or response to the Petition was due January 2, 2024.

BP Interiors Corp. has not responded. On May 20, 2024, the Court granted Petitioners' request that the Court construe the Petition as an unopposed motion for summary judgment. (See Dkt. No. 15.)

The Court has reviewed the record and finds that Petitioners have shown that there is no genuine dispute as to any material fact and that Petitioners are entitled to judgment as a matter of law. Accordingly, the Court hereby grants the Petition.

For the foregoing reasons, it is hereby

ORDERED that this Amended Order and Judgment hereby supersedes the Order and Judgment dated August 5, 2024 and entered at Docket No. 16 in this matter; and it is further

ORDERED that the Petition (Dkt. No. 1) of Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund; Trustees of the

New York City Carpenters Relief and Charity Fund; and the Carpenter Contractor Alliance of Metropolitan New York (collectively, "Petitioners") for confirmation of the Opinion and Default Award (the "Arbitration Award") dated October 11, 2023, is **GRANTED**; and it is further

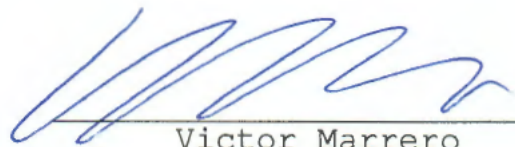
ORDERED that the confirmed Arbitration Award is entered as a judgment of this Court, including monetary judgment in favor of Petitioners and against BP Interiors Corp. in the amount of \$1,357,055.16, plus interest from October 11, 2023, the date of the Arbitration Award, at an annual rate of 6.75 percent, pursuant to the Arbitration Award; and it is further

ORDERED that Petitioners are awarded \$2,542.00 in attorneys' fees and \$80.00 in costs arising out of this proceeding; and it is further

ORDERED that BP Interiors Corp. is directed to submit to an audit of its books and records for the period June 23, 2021 through the present date.

SO ORDERED:

Dated: New York, New York
7 August 2024



Victor Marrero
U.S.D.J.